FILED May 04, 20 00 36 Filed 05/04/05 Case 04-34435 CLERK, U.S. BANKRUPTCY COURT 0000166122 1 JAN P. JOHNSON 2 Standing Chapter 13 Trustee P. O. Box 1708 3 Sacramento, California 95812-1708 (916) 492-8001 4 5 6 7 UNITED STATES BANKRUPTCY COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 SACRAMENTO DIVISION 10 11 IN RE: Case No:04-34435-B-13J DC No.: JPJ-2 12 **RUSSELL LANDERS** 13 TRUSTEE'S MOTION TO DISMISS **CASE WITH CLASS ONE DEBT(S)** 14 DATE: MAY 23, 2005 15 TIME: 1:30 PM COURTROOM: 33 Debtor(s) 16 17 JAN P. JOHNSON, CHAPTER 13 TRUSTEE, hereby moves the Court for an Order 18 Dismissing this case pursuant to 11 U.S.C. §1307, General Order 03-03, and as supported by the 19 attached declaration for the following reason(s): 20 /// 21 /// 22 /// 23 /// 24 1

1	1. The debtor is delinquent \$3563.82 under the terms of the proposed plan. This
2	delinquency represents approximately one plan payment. In addition, late fees of \$112.01
3	plus Trustee's fees of \$7.79 have accrued. Therefore, the total amount to remit to
4	become current through May 2005 is \$7248.62 as one more plan payment of \$3565.00
5	will fall due on May 25, 2005.
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7	2. This is the second Motion to Dismiss filed on this case due to delinquency.
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9	WHEREFORE, the Trustee asks that the Court grant an Order Dismissing this
10	proceeding.
11	Dated: MAY 4, 2005
12	/s/ Jan P. Johnson
13	Standing Chapter 13 Trustee
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